

IN THE SPECIFICATION

On page 3, please replace the second full paragraph with the following amended paragraph:

However, the expression specificity conferred by the chimeric promoters of the invention may not be limited to local gene expression due to pathogens, for example, they may be combined with further regulatory sequences that provide for tissue specific gene expression. The particular expression pattern may also depend on the plant/vector system employed. However, expression of heterologous DNA sequences driven by the chimeric promoters of the invention predominantly occurs upon ~~pathogen~~ pathogen infection or treatment with a corresponding elicitor unless certain elements of the invention were taken and designed by the person skilled in the art to control the expression of a heterologous DNA sequence in certain cell types.

Please replace the first paragraph on page 25 with the following amended paragraph:

methods, uses and compounds to be employed in accordance with the present invention may be retrieved from public libraries, using for example electronic devices. For example the public database "Medline" may be utilized which is available on the internet, for example under <http://www.ncbi.nlm.nih.gov/PubMed/medline.html>. Further databases and public web-site addresses such as <http://www.ncbi.nlm.nih.gov/>, <http://www.infobiogen.fr/>, http://www.fmi.ch/biology/research_tools.html,

~~http://www.tigr.org/~~, are known to the person skilled in the art and can also be obtained using, e.g., ~~http://www.lycos.com~~ known web-sites for internet search engines. An overview of patent information in biotechnology and a survey of relevant sources of patent information useful for retrospective searching and for current awareness is given in Berks, TIBTECH 12 (1994), 352-364.

Please replace the description of Figure 1 on page 25 with the following amended description:

Figure 1A Restriction map of the plasmid ms23 (Sprenger, 1997)
(SEQ ID NO: 17)

Figure 1B List of Enzymes that cut plasmid ms23 and Enzymes that do not cut plasmid ms23.

Please replace the description of Figure 7 on page 26 with the Following amended description:

Figure 7 Elicitor inducibility of Box E17 depending on the distance to the 35S minimal promoter, as illustrated in Figure 6. **Figure 7a** shows the induction upon elicitor treatment is given for the BamHI, ClaI, EcoRI, XbaI and Sall constructs, as illustrated in Figure 6. **Figure 7b** shows, in another experiment, the induction for elicitor treatment for the SapI-dimer, HindIII-dimer, BamHI, ClaI, EcoRI, SpeI, XbaI and Sall constructs. ms23, in figures 7a and 7b, represents the vector only containing the minimal promoter as negative control.